

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VELEZ ENTERPRISES LLC d/b/a OQSIE v. KVK TECH, INC., MURTY VEPURI, and ANTHONY TABASSO	CIVIL ACTION NO. 20-5553
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ORDER RE: DEFENDANTS' AMENDED MOTION TO DISMISS

AND NOW, this 15th day of September, 2021, after careful consideration of Defendants KVK Tech, Inc., Murty Vepuri, and Anthony Tabasso's Amended Motion to Dismiss (ECF 14), Plaintiff Velez Enterprises LLC d/b/a OQSIE's Response (ECF 15), and Defendants' Reply (ECF 16), it hereby **ORDERED** that Defendants' Motion is **GRANTED**.

1. Counts II through IV of Plaintiff's Complaint, and Count I with regard to the alleged oral contract, are **DISMISSED** without prejudice and with leave to file an amended complaint within twenty-one (21) days.
2. Count I of Plaintiff's Complaint with regard to the alleged written contract is not dismissed, but Plaintiff must restate this claim as a separate count in an amended complaint and attach a copy of the contract, including all amendments.

BY THE COURT:

/s/ MICHAEL M. BAYLSON

MICHAEL M. BAYLSON, U.S.D.J.